

DOCKET NO. 3794-001-27 REISSUE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE REISSUE U.S. PATENT 6,092,163 ART UNIT:
APPLICATION OF:
SERIAL NO.: NEW REISSUE APPLICATION EXAMINER:
FILING DATE: HERewith
FOR: PAGEABLE FILTER DRIVER FOR PROSPECTIVE IMPLEMENTATION
 OF DISK SPACE QUOTAS

REISSUE DECLARATION

ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

SIR:

We, Daniel B. Kyler and Najaf S. Husain do hereby declare and state that

1. We are the original and first inventors of the subject matter which is claimed in the Reissue application for which a Reissue patent is sought.

2. All of us are citizens of the United States of America.

3. We have reviewed and understand the contents of the specification including the claims of the Reissue application for U.S. Patent 6,092,163 ("the Reissue Application") submitted herewith.

4. We acknowledge our duty to disclose to the United States Patent and Trademark Office all information known to us to be material to patentability as defined in 37 C.F.R. §1.56. Specifically, we are aware of our duty to disclose to the United States Patent and Trademark Office all information known to us that establishes, by itself or in combination with other information, a *prima facie* case of unpatentability of a claim presented in the above-captioned application, without more, or refutes or is inconsistent with, a position taken by us or on our behalf in either opposing an argument of unpatentability or asserting an argument of patentability.

5. We claim the benefit of priority of U.S. Patent 6,092,163, and any claims to priority therein.

6. We believe U.S. Patent 6,092,163, to be wholly or partly inoperative or invalid by reason of our claiming less than we had a right to claim as well as failing to claim specific embodiments that we had a right to claim. Specifically, we identify as in error, the failure to advance method claims for the invention, and also identify as error the inclusion of "means for establishing disk space quotas" in those claims of the invention directed to a filter driver.

7. All errors being corrected by the reason of the filing of reissue application up to the filing of this Declaration arose without any deceptive intention on our part.


All statements made herein of our own knowledge are true and all statements made on information and belief are believed true. We are aware that willful false statements and the like are punishable by fine, imprisonment, or both, 18 U.S.C. §1001, and that such willful false statements may jeopardize the above-captioned reissue application, the validity of any patent to issue thereon, and the validity of U.S. Patent 6,092,163.

Dated: 06/11/2002


Daniel B. Kyler

Title: Sr. Software Architect

Dated: 05/16/02


Najaf S. Husain

Title: General Manager